

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.20048 of 2018

R.Muniappan

...Petitioner

..vs..

1. Additional Chief Secretary to Government
Transport Department
Secretariat,
Fort St. George,
Chennai- 600 009.
2. Tamil Nadu State Transport
Corporation Salem Ltd.,
12, Ramakrishna Road,
Salem - 627 007.
Represented by its Managing Director
- 3.Tamil Nadu State Transport
Corporation Madurai Ltd.,
Bye Pass Road,
Madurai - 625 003.
Represented by its Managing Director.
4. Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai- 600 002.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondents to pay him all the retirement benefits including provident Fund, Gratuity, Leave Salary Amount, Commutation amount, Employees Society Welfare Scheme and all other benefits with interest to be settled at the rate of 18% per annum from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this court.

For Petitioner : Mr.A.Rajendran

For Respondents: Mr.R.K.Gandhi (R2 to R4)
for Mr.V.Kathirvelu (R1)
Special Government Pleader

O R D E R

Mr.R.K.Gandhi, learned standing counsel takes notice for the respondents 2 to 4. Mr.V.Kadhirvelu, learned Special Government Pleader takes notice for the first respondent.

2. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

3. This Writ Petition has been filed seeking for a direction to the respondents to pay him all the retirement benefits including provident Fund, Gratuity, Leave Salary Amount, Commutation amount, Employees Society Welfare Scheme and all other benefits with interest at the rate of 18% per annum from the date of retirement till the date of settlement by the respondents.

4. The grievance of the petitioner is that though he had retired on 28.02.2018, his retirement benefits were not given till date. In this regard, he made a representation to the respondents on 01.05.2018, requesting them to settle the retirement benefits. As the same has not evoked any response, the petitioner has come forward with the Writ Petition seeking for the aforesaid relief.

5. During the course of hearing, the learned counsel appearing for the petitioner would submit that the case of the petitioner is squarely covered by the decision of this Court dated 28.07.2016 made in W.P.Nos.26370 to 26379 of 2016 and as such the respondents be directed to extend the retirement benefits to the petitioner in terms of the orders passed in the aforesaid Writ Petitions.

6. The learned Special Government Pleader who accepts notice for the first respondent as well as the learned counsel appearing for the respondents 2 and 3 would submit that the case of the petitioner is squarely covered by the said decision. But, the respondents may be granted liberty to release the retirement benefits in instalments.

7. Considering the facts and circumstances of the case and also considering the submissions made, this Writ Petition is

disposed of with a direction to the respondents to disburse the retirement benefits including provident Fund, Gratuity, Leave Salary Amount, Commutation amount, Employees Society Welfare Scheme and all other benefits to the petitioner in installments, in the light of the decision stated supra. The first installment shall commence within a period of two months from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. Additional Chief Secretary to Government
Transport Department
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Chennai- 600 009.
2. Tamil Nadu State Transport
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+1cc to Mr.A.Rajendran, Advocate sr.no.53438

WP.No.20048 of 2018

nr 13/08/2018